

Attorney Docket No. 10873.498US01

## United States Patent Application

MERCHANT & GOULD P.C.

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: OPTICAL HEAD AND METHOD OF MANUFACTURING THE SAME

The specification of which a. ☐ is attached hereto b. ☑ was filed on February 17, 20 application) described and claimed solicit a United States patent.	• •	and was amended on and as amended on	(if applicable) (in the case of a PCT-file (if any), which I have reviewed and for v	
I hereby state that I have reviewed any amendment referred to above.	and understand the contents	of the above-identified sp	ecification, including the claims, as amend	ied by
I acknowledge the duty to disclose Federal Regulations, § 1.56 (attach		al to the patentability of th	is application in accordance with Title 37,	Code of
	so identified below any forei	ign application for patent of	any foreign application(s) for patent or inverse inventor's certificate having a filing date	
a. ☐ no such applications have been such applications have been				· .
FORE	EIGN APPLICATION(S), IF AN	Y, CLAIMING PRIORITY U	NDER 35 USC § 119	
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)	

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119					
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)		
Japan	11-045749	24 February 1999			
Japan	11-254378	8 September 1999			
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)					
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)		

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)	

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)		

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Albrecht, John W.  Reg. No. 40,481 Anderson, Gregg I.  Reg. No. 28,828 Anderson, Gregg I.  Reg. No. 28,828 Anderson, Gregg I.  Reg. No. 42,264 Liepa, Mara E. Reg. No. 40,066 Batzli, Brian H. Reg. No. 32,960 Lindquist, Timothy A. Reg. No. 40,701 Beard, John L. Reg. No. 43,496 McDonald, Daniel W. Reg. No. 32,044 Berns, John M. Reg. No. 43,496 McDonald, Daniel W. Reg. No. 32,044 Reg. No. 41,622 McIntrye, Jr., William F. Reg. No. 74,021 Bruess, Steven C. Reg. No. 34,130 Mueller, Douglas P. Reg. No. 30,300 Reg. No. 30,300 Reg. No. 32,404 Pauly, Daniel M. Reg. No. 32,040 Reg. No. 33,227 Pilunkett, Theodore Reg. No. 37,206 Caspers, Philip P. Reg. No. 33,227 Pilunkett, Theodore Reg. No. 37,206 Caspers, Philip P. Reg. No. 30,247 Reich, John C. Reg. No. 37,030 Reg. No. 39,634 Pytel, Melissa J. Reg. No. 37,703 Cochran, William W. Reg. No. 25,968 Schmaltz, David G. Reg. No. 39,634 Reg. No. 39,644 Schuman, Mark D. Reg. No. 39,638 Schmaltz, David G. Reg. No. 39,828 Baley, Dennis R. Reg. No. 40,579 Schumann, Michael D. Reg. No. 39,828 Daley, Dennis R. Reg. No. 40,579 Schumann, Michael D. Reg. No. 31,197 Reg. No. 42,157 Sebald, Gregory A. Reg. No. 42,137 Reg. No. 40,178 Reg. No. 40,519 Schumann, Michael D. Reg. No. 40,178 Reg. No. 41,125 Sumners, John S. Reg. No. 41,125 Sumners, John S. Reg. No. 42,164 Reg. No. 33,184 Reg. No. 31,194 Reg. No. 31,194 Reg. No. 31,194 Reg. No. 31,194 Reg. No. 41,125 Sumners, John S. Reg. No. 41,135 Reg. No. 41,137 Reg.	Albrecht, John W.	Pag No. 40 491	Last David C	
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Chiapetta, James R. Reg. No. 39,634 Pytel, Melissa J. Reg. No. 41,512 Clifford, John A. Reg. No. 30,247 Reich, John C. Reg. No. 37,703 Cochran, William W. Reg. No. 26,652 Reiland, Earl D. Reg. No. 25,767 Daignault, Ronald A. Reg. No. 25,968 Schmaltz, David G. Reg. No. 39,828 Daley, Dennis R. Reg. No. 49,994 Schuman, Mark D. Reg. No. 31,197 Dalglish, Leslie E. Reg. No. 40,579 Schumann, Michael D. Reg. No. 30,422 Daulton, Julie R. Reg. No. 36,414 Scull, Timothy B. Reg. No. 42,137 DeVries Smith, Katherine M. Reg. No. 24,157 Sebald, Gregory A. Reg. No. 33,280 DiPietro, Mark J. Reg. No. 20,187 Schuman, Schuman, Michael D. Reg. No. 40,178 Edell, Robert T. Reg. No. 20,187 Stoll—DeBell, Kirstin L. Reg. No. 40,178 Edell, Robert T. Reg. No. 39,667 Storer, Shelley D. Reg. No. 43,164 Epp Ryan, Sandra Reg. No. 44,125 Sumners, John P. Reg. No. 29,114 Goggin, Matthew J. Reg. No. 44,125 Sumners, John S. Reg. No. 29,114 Goggin, Matthew J. Reg. No. 44,125 Sumners, John S. Reg. No. 24,216 Golla, Charles E. Reg. No. 18,223 Trembath, Jon R. Reg. No. 32,314 Gregson, Richard Reg. No. 18,223 Trembath, Jon R. Reg. No. 38,442 Tellekson, David K. Reg. No. 33,144 Gregson, Richard Reg. No. 18,223 Trembath, Jon R. Reg. No. 33,144 Gregson, Richard Reg. No. 29,165 Wahl, John R. Reg. No. 33,044 Hillson, Randall A. Reg. No. 39,721 Whipps, Brian Reg. No. 43,261 Kastelic, Joseph M. Reg. No. 33,194 Weaver, Karrie G. Reg. No. 43,261 Kastelic, Joseph M. Reg. No. 33,194 Wilt, Jonelle Reg. No. 41,980 Keys, Jeramie J. Reg. No. 33,924 Witt, Jonelle Reg. No. 43,361 Kentelberger, Denise Reg. No. 33,924 Wit, Jonelle Reg. No. 43,361 Kentelberger, Denise Reg. No. 31,1535 Zeuli, Anthony R. Reg. No. 39,536 Keys, Jeramie J. Reg. No. 31,535 Zeuli, Anthony R. Reg. No. 39,536 Keys, Jeramie J. Reg. No. 31,535 Zeuli, Anthony R. Reg. No. 35,555	•		• •	•
Clifford, John A.  Reg. No. 30,247  Reich, John C.  Reg. No. 37,703  Cochran, William W.  Reg. No. 26,652  Reiland, Earl D.  Reg. No. 25,767  Reignand, Earl D.  Reg. No. 37,703  Reg. No. 25,767  Reignand, Earl D.  Reg. No. 39,828  Schmaltz, David G.  Reg. No. 39,828  Schuman, Mark D.  Reg. No. 31,197  Dalglish, Leslie E.  Reg. No. 40,579  Schuman, Michael D.  Reg. No. 30,422  Daulton, Julie R.  Reg. No. 42,157  Sebald, Gregory A.  Reg. No. 42,137  DeVries Smith, Katherine M.  Reg. No. 28,707  Skoog, Mark T.  Reg. No. 40,178  Edell, Robert T.  Reg. No. 20,187  Stoll—DeBell, Kirstin L.  Reg. No. 43,164  Epp Ryan, Sandra  Reg. No. 39,667  Storer, Shelley D.  Reg. No. 43,164  Goggin, Matthew J.  Reg. No. 44,125  Sumner, John P.  Reg. No. 24,216  Golla, Charles E.  Reg. No. 26,896  Swenson, Erik G.  Reg. No. 32,314  Gorman, Alan G.  Reg. No. 18,223  Trembath, Jon R.  Reg. No. 32,114  Gresson, Richard  Reg. No. 41,804  Underhill, Albert L.  Reg. No. 23,044  Hillson, Randall A.  Reg. No. 31,121  Vandenburgh, J. Derek  Reg. No. 33,044  Hillson, Randall A.  Reg. No. 31,160  Welter, Paul A.  Reg. No. 43,261  Kettelberger, Denise  Reg. No. 33,924  Wit, Jonelle  Reg. No. 43,361  Keys, Jeramie J.  Reg. No. 42,724  Wu, Tong  Key, No. 45,255  Reiland, Earl D.  Reg. No. 45,255  Reiland, Earl D.  Reg. No. 47,033  Reg. No. 39,536  Reg. No. 37,703  Reg. No. 37,703  Reg. No. 37,703  Reg. No. 30,422  Reg. No. 37,623  Reg. No. 42,117  Reg. No. 42,117  Reg. No. 40,579  Schuman, Mark D.  Reg. No. 40,579  Schuman, Mark D.  Reg. No. 31,197  Reg. No. 40,579  Schuman, Mark D.  Reg. No. 40,122  Reg. No. 40,122  Reg. No. 40,123  Reg. No. 40,127  Reg. No. 40,127  Reg. No. 40,127  Reg. No. 40,178  Reg. No. 40,179  Reg. No. 40,178  Reg. No. 30,422  Reg. No. 30,422  Reg. No. 30,424  Reg. No. 41,804  Reg. No. 41,804  Reg. No. 41		•	•	Reg. No. 37,209
Cochran, William W.         Reg. No. 26,652         Reiland, Earl D.         Reg. No. 25,767           Daignault, Ronald A.         Reg. No. 25,968         Schmaltz, David G.         Reg. No. 39,828           Daley, Dennis R.         Reg. No. 34,994         Schuman, Mark D.         Reg. No. 31,197           Dalglish, Leslie E.         Reg. No. 40,579         Schumann, Michael D.         Reg. No. 30,422           Daulton, Julie R.         Reg. No. 36,414         Scull, Timothy B.         Reg. No. 30,422           Daulton, Julie R.         Reg. No. 24,157         Sebald, Gregory A.         Reg. No. 33,280           DiPietro, Mark J.         Reg. No. 28,707         Skoog, Mark T.         Reg. No. 40,178           Edell, Robert T.         Reg. No. 20,187         Stoll-DeBell, Kirstin L.         Reg. No. 43,164           Epp Ryan, Sandra         Reg. No. 39,667         Storer, Shelley D.         Reg. No. 43,164           Epp Ryan, Sandra         Reg. No. 40,620         Sumner, John P.         Reg. No. 24,216           Goggin, Matthew J.         Reg. No. 44,125         Sumner, John S.         Reg. No. 24,216           Goggin, Matthew J.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 24,216           Golla, Charles E.         Reg. No. 38,472         Tellekson, David K.         Reg. No. 32,314 <t< td=""><td>•</td><td>,</td><td>•</td><td>Reg. No. 41,512</td></t<>	•	,	•	Reg. No. 41,512
Daignault, Ronald A.         Reg. No. 25,968         Schmaltz, David G.         Reg. No. 39,828           Daley, Dennis R.         Reg. No. 34,994         Schumann, Mark D.         Reg. No. 31,197           Dalglish, Leslie E.         Reg. No. 36,414         Scull, Timothy B.         Reg. No. 30,422           Daulton, Julie R.         Reg. No. 36,414         Scull, Timothy B.         Reg. No. 42,137           DeVries Smith, Katherine M.         Reg. No. 28,707         Skoog, Mark T.         Reg. No. 33,280           DiPietro, Mark J.         Reg. No. 28,707         Skoog, Mark T.         Reg. No. 40,178           Edell, Robert T.         Reg. No. 20,187         Stoll-DeBell, Kirstin L.         Reg. No. 43,164           Epp Ryan, Sandra         Reg. No. 40,620         Sumner, John P.         Reg. No. 24,216           Golla, Charles E.         Reg. No. 44,125         Sumners, John S.         Reg. No. 24,216           Golla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 32,314           Gould, John D.         Reg. No. 18,223         Trembath, Jon R.         Reg. No. 32,314           Greson, Richard         Reg. No. 31,834         Underhill, Albert L.         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 31,838         Weaver, Karrie G.         Reg. No. 30,3044           H				Reg. No. 37,703
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Dalglish, Leslie E.         Reg. No. 40,579         Schumann, Michael D.         Reg. No. 30,422           Daulton, Julie R.         Reg. No. 36,414         Scull, Timothy B.         Reg. No. 42,137           DeVries Smith, Katherine M.         Reg. No. 42,157         Sebald, Gregory A.         Reg. No. 33,280           DiPietro, Mark J.         Reg. No. 28,707         Skoog, Mark T.         Reg. No. 40,178           Edell, Robert T.         Reg. No. 20,187         Stoll-DeBell, Kirstin L.         Reg. No. 43,164           Epp Ryan, Sandra         Reg. No. 39,667         Storer, Shelley D.         Reg. No. 45,135           Glance, Robert J.         Reg. No. 40,620         Sumner, John P.         Reg. No. 29,114           Goggin, Matthew J.         Reg. No. 44,125         Sumners, John S.         Reg. No. 29,114           Gogla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 45,147           Gorman, Alan G.         Reg. No. 38,472         Tellekson, David K.         Reg. No. 32,314           Gresson, Richard         Reg. No. 18,223         Trembath, Jon R.         Reg. No. 38,344           Gresson, John J.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044	<b>C</b> ,		•	Reg. No. 39,828
Daulton, Julie R. Reg. No. 36,414 Scull, Timothy B. Reg. No. 42,137 DeVries Smith, Katherine M. Reg. No. 42,157 Sebald, Gregory A. Reg. No. 33,280 DiPietro, Mark J. Reg. No. 28,707 Skoog, Mark T. Reg. No. 40,178 Edell, Robert T. Reg. No. 20,187 Stoll—DeBell, Kirstin L. Reg. No. 43,164 Epp Ryan, Sandra Reg. No. 39,667 Storer, Shelley D. Reg. No. 45,135 Glance, Robert J. Reg. No. 40,620 Sumner, John P. Reg. No. 29,114 Goggin, Matthew J. Reg. No. 44,125 Sumners, John S. Reg. No. 29,114 Goggin, Matthew J. Reg. No. 26,896 Swenson, Erik G. Reg. No. 45,147 Gorman, Alan G. Reg. No. 38,472 Tellekson, David K. Reg. No. 32,314 Gould, John D. Reg. No. 18,223 Trembath, Jon R. Reg. No. 32,314 Gregson, Richard Reg. No. 18,223 Trembath, Jon R. Reg. No. 32,314 Underhill, Albert L. Reg. No. 32,179 Hamre, Curtis B. Reg. No. 29,165 Wahl, John R. Reg. No. 33,044 Hillson, Randall A. Reg. No. 31,838 Weaver, Karrie G. Reg. No. 43,245 Holzer, Jr., Richard J. Reg. No. 39,721 Whipps, Brian Reg. No. 34,196 Williams, Douglas J. Reg. No. 43,261 Kettelberger, Denise Reg. No. 33,3924 Witt, Jonelle Reg. No. 41,376 Kettelberger, Denise Reg. No. 31,535 Zeuli, Anthony R. Reg. No. 45,255	• •		•	Reg. No. 31,197
DeVries Smith, Katherine M.  Reg. No. 42,157  Sebald, Gregory A.  Reg. No. 33,280  DiPietro, Mark J.  Reg. No. 28,707  Reg. No. 20,187  Skoog, Mark T.  Reg. No. 40,178  Reg. No. 39,667  Stoll-DeBell, Kirstin L.  Reg. No. 43,164  Reg. No. 45,135  Glance, Robert J.  Reg. No. 40,620  Sumner, John P.  Reg. No. 29,114  Goggin, Matthew J.  Reg. No. 44,125  Sumners, John S.  Reg. No. 24,216  Golla, Charles E.  Reg. No. 26,896  Swenson, Erik G.  Reg. No. 38,472  Tellekson, David K.  Reg. No. 32,314  Gregson, Richard  Reg. No. 41,804  Underhill, Albert L.  Reg. No. 33,122  Vandenburgh, J. Derek  Reg. No. 33,149  Hamre, Curtis B.  Reg. No. 31,838  Reg. No. 31,838  Weaver, Karrie G.  Reg. No. 43,245  Reg. No. 34,261  Reg. No. 34,196  Kadievitch, Natalie D.  Reg. No. 34,760  Reg. No. 34,361  Reg. No. 34,361  Reg. No. 42,724  Reg. No. 42,724  Reg. No. 41,804  Reg. No. 42,724  Reg. No. 42,724  Reg. No. 42,725  Reg. No. 41,808  Reg. No. 42,724  Reg. No. 42,725  Reg. No. 42,725  Reg. No. 42,725  Reg. No. 42,726  Reg. No. 42,725  Reg. No. 31,535  Reg. No. 31,535  Reg. No. 31,535  Reg. No. 42,555	<b>O</b> ,	· · ·		Reg. No. 30,422
DiPietro, Mark J.         Reg. No. 28,707         Skoog, Mark T.         Reg. No. 40,178           Edell, Robert T.         Reg. No. 20,187         Stoll-DeBell, Kirstin L.         Reg. No. 43,164           Epp Ryan, Sandra         Reg. No. 39,667         Storer, Shelley D.         Reg. No. 45,135           Glance, Robert J.         Reg. No. 40,620         Sumner, John P.         Reg. No. 29,114           Goggin, Matthew J.         Reg. No. 44,125         Sumners, John S.         Reg. No. 24,216           Golla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 24,216           Gorman, Alan G.         Reg. No. 38,472         Tellekson, David K.         Reg. No. 32,314           Gould, John D.         Reg. No. 18,223         Trembath, Jon R.         Reg. No. 38,344           Gresson, Richard         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 27,403           Gressens, John J.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 33,044           Hillson, Randall A.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044           Holzer, Jr., Richard J.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,245           Holzer, Jr., Richard J.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,261           Kad	•	Reg. No. 36,414	Scull, Timothy B.	Reg. No. 42,137
DiPietro, Mark J.         Reg. No. 28,707         Skoog, Mark T.         Reg. No. 40,178           Edell, Robert T.         Reg. No. 20,187         Stoll-DeBell, Kirstin L.         Reg. No. 43,164           Epp Ryan, Sandra         Reg. No. 39,667         Storer, Shelley D.         Reg. No. 45,135           Glance, Robert J.         Reg. No. 40,620         Sumner, John P.         Reg. No. 29,114           Goggin, Matthew J.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 24,216           Golla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 32,314           Gorman, Alan G.         Reg. No. 38,472         Tellekson, David K.         Reg. No. 32,314           Greson, Richard         Reg. No. 18,223         Trembath, Jon R.         Reg. No. 38,344           Gresons, John J.         Reg. No. 41,804         Underhill, Albert L.         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044           Holzer, Jr., Richard J.         Reg. No. 31,838         Weaver, Karrie G.         Reg. No. 43,245           Holnston, Scott W.         Reg. No. 39,721         Whipps, Brian         Reg. No. 20,890           Johnston		Reg. No. 42,157	Sebald, Gregory A.	Reg. No. 33,280
Epp Ryan, Sandra Reg. No. 39,667 Storer, Shelley D. Reg. No. 45,135 Glance, Robert J. Reg. No. 40,620 Sumner, John P. Reg. No. 29,114 Goggin, Matthew J. Reg. No. 26,896 Golla, Charles E. Reg. No. 26,896 Reg. No. 38,472 Reg. No. 38,472 Tellekson, David K. Reg. No. 32,314 Gould, John D. Reg. No. 18,223 Trembath, Jon R. Reg. No. 38,344 Underhill, Albert L. Reg. No. 27,403 Gressens, John J. Reg. No. 33,112 Vandenburgh, J. Derek Reg. No. 33,112 Vandenburgh, J. Derek Reg. No. 33,044 Hillson, Randall A. Reg. No. 31,838 Weaver, Karrie G. Reg. No. 43,245 Holzer, Jr., Richard J. Reg. No. 39,721 Whipps, Brian Reg. No. 43,261 Kadievitch, Natalie D. Reg. No. 37,160 Williams, Douglas J. Reg. No. 41,980 Kettelberger, Denise Reg. No. 42,724 Wu, Tong Reg. No. 45,255		Reg. No. 28,707	Skoog, Mark T.	
Epp Ryan, Sandra         Reg. No. 39,667         Storer, Shelley D.         Reg. No. 45,135           Glance, Robert J.         Reg. No. 40,620         Sumner, John P.         Reg. No. 29,114           Goggin, Matthew J.         Reg. No. 26,896         Sumners, John S.         Reg. No. 24,216           Golla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 45,147           Gorman, Alan G.         Reg. No. 38,472         Tellekson, David K.         Reg. No. 32,314           Gould, John D.         Reg. No. 18,223         Trembath, Jon R.         Reg. No. 38,344           Gresson, Richard         Reg. No. 41,804         Underhill, Albert L.         Reg. No. 27,403           Gresens, John J.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044           Hillson, Randall A.         Reg. No. 31,838         Weaver, Karrie G.         Reg. No. 43,245           Holzer, Jr., Richard J.         Reg. No. 42,668         Welter, Paul A.         Reg. No. 43,245           Holzer, Jr., Richard J.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,261           Kadievitch, Natalie D.         Reg. No. 37,160         Wiltims, Douglas J.         Reg. No. 41,376	Edell, Robert T.	Reg. No. 20,187	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Glance, Robert J. Goggin, Matthew J. Goggin, Matthew J. Goggin, Matthew J. Golda, Charles E. Golla, Charles E. Gorman, Alan G. Gould, John D. Gresson, Richard Gresson, Richard Gresson, John J. Hamre, Curtis B. Holzer, Jr., Richard J. Holzer, Jr., Richard J. Johnston, Scott W. Kastelic, Joseph M. Keg. No. 34,196 Kegt. No. 37,160 Kegt. No. 37,160 Kegt. No. 37,244 Keg. No. 37,245 Keg. No. 37,255 Kowalchyk, Alan W. Keg. No. 21,197 Keg. No. 21,197 Keg. No. 21,197 Xu, Min S. Keg. No. 29,161 Sumner, John P. Reg. No. 29,114 Sumners, John S. Reg. No. 24,216 Sumners, John S. Reg. No. 24,214 Sumners, John S. Reg. No. 24,214 Sumners, John S. Reg. No. 29,114 Reg. No. 27,054 Reg. No. 37,160 Williams, Douglas J. Reg. No. 41,980 Reg. No. 42,724 Wu, Tong Reg. No. 43,361 Knearl, Homer L. Reg. No. 21,197 Xu, Min S. Reg. No. 39,536 Reg. No. 39,536 Reg. No. 31,535 Zeuli, Anthony R. Reg. No. 45,255	Epp Ryan, Sandra	Reg. No. 39,667	Storer, Shelley D.	
Goggin, Matthew J.         Reg. No. 44,125         Sumners, John S.         Reg. No. 24,216           Golla, Charles E.         Reg. No. 26,896         Swenson, Erik G.         Reg. No. 45,147           Gorman, Alan G.         Reg. No. 38,472         Tellekson, David K.         Reg. No. 32,314           Gould, John D.         Reg. No. 18,223         Trembath, Jon R.         Reg. No. 38,344           Gregson, Richard         Reg. No. 41,804         Underhill, Albert L.         Reg. No. 27,403           Gresens, John J.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044           Hillson, Randall A.         Reg. No. 31,838         Weaver, Karrie G.         Reg. No. 42,245           Holzer, Jr., Richard J.         Reg. No. 42,668         Welter, Paul A.         Reg. No. 20,890           Johnston, Scott W.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,261           Kadievitch, Natalie D.         Reg. No. 34,196         Wickhem, J. Scot         Reg. No. 41,376           Kastelic, Joseph M.         Reg. No. 33,924         Williams, Douglas J.         Reg. No. 41,980           Keys, Jeramie J.         Reg. No. 42,724         Wu, Tong         Reg. No. 49,525           Kowalchyk,	Glance, Robert J.	Reg. No. 40,620	Sumner, John P.	•
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Gorman, Alan G.  Gould, John D.  Reg. No. 18,223  Gresson, Richard  Gresson, Richard  Gresson, John J.  Hamre, Curtis B.  Holzer, Jr., Richard J.  Johnston, Scott W.  Reg. No. 39,721  Kadievitch, Natalie D.  Kastelic, Joseph M.  Keg. No. 37,160  Keg. No. 33,924  Keg. No. 33,925  Keg. No. 33,926  Keg. No. 31,535  Zeuli, Anthony R.  Reg. No. 45,255	Golla, Charles E.	Reg. No. 26,896	Swenson, Erik G.	· ·
Gould, John D.         Reg. No. 18,223         Trembath, Jon R.         Reg. No. 38,344           Gregson, Richard         Reg. No. 41,804         Underhill, Albert L.         Reg. No. 27,403           Gresens, John J.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044           Hillson, Randall A.         Reg. No. 31,838         Weaver, Karrie G.         Reg. No. 43,245           Holzer, Jr., Richard J.         Reg. No. 42,668         Welter, Paul A.         Reg. No. 20,890           Johnston, Scott W.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,261           Kadievitch, Natalie D.         Reg. No. 34,196         Wickhem, J. Scot         Reg. No. 41,376           Kastelic, Joseph M.         Reg. No. 37,160         Williams, Douglas J.         Reg. No. 27,054           Kettelberger, Denise         Reg. No. 33,924         Witt, Jonelle         Reg. No. 41,980           Keys, Jeramie J.         Reg. No. 42,724         Wu, Tong         Reg. No. 43,361           Knearl, Homer L.         Reg. No. 21,197         Xu, Min S.         Reg. No. 45,255           Kowalchyk, Alan W.         Reg. No. 31,535         Zeuli, Anthony R.         Reg. No. 45,255	Gorman, Alan G.	Reg. No. 38,472	Tellekson, David K.	,
Gregson, Richard         Reg. No. 41,804         Underhill, Albert L.         Reg. No. 27,403           Gresens, John J.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044           Hillson, Randall A.         Reg. No. 31,838         Weaver, Karrie G.         Reg. No. 43,245           Holzer, Jr., Richard J.         Reg. No. 42,668         Welter, Paul A.         Reg. No. 20,890           Johnston, Scott W.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,261           Kadievitch, Natalie D.         Reg. No. 34,196         Wickhem, J. Scot         Reg. No. 41,376           Kastelic, Joseph M.         Reg. No. 37,160         Williams, Douglas J.         Reg. No. 27,054           Kettelberger, Denise         Reg. No. 33,924         Witt, Jonelle         Reg. No. 41,980           Keys, Jeramie J.         Reg. No. 42,724         Wu, Tong         Reg. No. 43,361           Knearl, Homer L.         Reg. No. 21,197         Xu, Min S.         Reg. No. 39,536           Kowalchyk, Alan W.         Reg. No. 31,535         Zeuli, Anthony R.         Reg. No. 45,255	Gould, John D.	Reg. No. 18,223	Trembath, Jon R.	,
Gresens, John J.         Reg. No. 33,112         Vandenburgh, J. Derek         Reg. No. 32,179           Hamre, Curtis B.         Reg. No. 29,165         Wahl, John R.         Reg. No. 33,044           Hillson, Randall A.         Reg. No. 31,838         Weaver, Karrie G.         Reg. No. 43,245           Holzer, Jr., Richard J.         Reg. No. 42,668         Welter, Paul A.         Reg. No. 20,890           Johnston, Scott W.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,261           Kadievitch, Natalie D.         Reg. No. 34,196         Wickhem, J. Scot         Reg. No. 41,376           Kastelic, Joseph M.         Reg. No. 37,160         Williams, Douglas J.         Reg. No. 27,054           Kettelberger, Denise         Reg. No. 33,924         Witt, Jonelle         Reg. No. 41,980           Keys, Jeramie J.         Reg. No. 42,724         Wu, Tong         Reg. No. 43,361           Knearl, Homer L.         Reg. No. 21,197         Xu, Min S.         Reg. No. 39,536           Kowalchyk, Alan W.         Reg. No. 31,535         Zeuli, Anthony R.         Reg. No. 45,255	Gregson, Richard	Reg. No. 41,804		
Hamre, Curtis B.       Reg. No. 29,165       Wahl, John R.       Reg. No. 33,044         Hillson, Randall A.       Reg. No. 31,838       Weaver, Karrie G.       Reg. No. 43,245         Holzer, Jr., Richard J.       Reg. No. 42,668       Welter, Paul A.       Reg. No. 20,890         Johnston, Scott W.       Reg. No. 39,721       Whipps, Brian       Reg. No. 43,261         Kadievitch, Natalie D.       Reg. No. 34,196       Wickhem, J. Scot       Reg. No. 41,376         Kastelic, Joseph M.       Reg. No. 37,160       Williams, Douglas J.       Reg. No. 27,054         Kettelberger, Denise       Reg. No. 33,924       Witt, Jonelle       Reg. No. 41,980         Keys, Jeramie J.       Reg. No. 42,724       Wu, Tong       Reg. No. 43,361         Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255	Gresens, John J.	Reg. No. 33,112	Vandenburgh, J. Derek	•
Hillson, Randall A.       Reg. No. 31,838       Weaver, Karrie G.       Reg. No. 43,245         Holzer, Jr., Richard J.       Reg. No. 42,668       Welter, Paul A.       Reg. No. 20,890         Johnston, Scott W.       Reg. No. 39,721       Whipps, Brian       Reg. No. 43,261         Kadievitch, Natalie D.       Reg. No. 34,196       Wickhem, J. Scot       Reg. No. 41,376         Kastelic, Joseph M.       Reg. No. 37,160       Williams, Douglas J.       Reg. No. 27,054         Kettelberger, Denise       Reg. No. 33,924       Witt, Jonelle       Reg. No. 41,980         Keys, Jeramie J.       Reg. No. 42,724       Wu, Tong       Reg. No. 43,361         Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255	Hamre, Curtis B.	Reg. No. 29,165		•
Holzer, Jr., Richard J.       Reg. No. 42,668       Welter, Paul A.       Reg. No. 20,890         Johnston, Scott W.       Reg. No. 39,721       Whipps, Brian       Reg. No. 43,261         Kadievitch, Natalie D.       Reg. No. 34,196       Wickhem, J. Scot       Reg. No. 41,376         Kastelic, Joseph M.       Reg. No. 37,160       Williams, Douglas J.       Reg. No. 27,054         Kettelberger, Denise       Reg. No. 33,924       Witt, Jonelle       Reg. No. 41,980         Keys, Jeramie J.       Reg. No. 42,724       Wu, Tong       Reg. No. 43,361         Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255	Hillson, Randall A.	Reg. No. 31,838	· · · · · · · · · · · · · · · · · · ·	•
Johnston, Scott W.         Reg. No. 39,721         Whipps, Brian         Reg. No. 43,261           Kadievitch, Natalie D.         Reg. No. 34,196         Wickhem, J. Scot         Reg. No. 41,376           Kastelic, Joseph M.         Reg. No. 37,160         Williams, Douglas J.         Reg. No. 27,054           Kettelberger, Denise         Reg. No. 33,924         Witt, Jonelle         Reg. No. 41,980           Keys, Jeramie J.         Reg. No. 42,724         Wu, Tong         Reg. No. 43,361           Knearl, Homer L.         Reg. No. 21,197         Xu, Min S.         Reg. No. 39,536           Kowalchyk, Alan W.         Reg. No. 31,535         Zeuli, Anthony R.         Reg. No. 45,255	Holzer, Jr., Richard J.	Reg. No. 42,668		•
Kadievitch, Natalie D.       Reg. No. 34,196       Wickhem, J. Scot       Reg. No. 41,376         Kastelic, Joseph M.       Reg. No. 37,160       Williams, Douglas J.       Reg. No. 27,054         Kettelberger, Denise       Reg. No. 33,924       Witt, Jonelle       Reg. No. 41,980         Keys, Jeramie J.       Reg. No. 42,724       Wu, Tong       Reg. No. 43,361         Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255	Johnston, Scott W.	Reg. No. 39,721		
Kastelic, Joseph M.       Reg. No. 37,160       Williams, Douglas J.       Reg. No. 27,054         Kettelberger, Denise       Reg. No. 33,924       Witt, Jonelle       Reg. No. 41,980         Keys, Jeramie J.       Reg. No. 42,724       Wu, Tong       Reg. No. 43,361         Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255	Kadievitch, Natalie D.			•
Kettelberger, Denise       Reg. No. 33,924       Witt, Jonelle       Reg. No. 41,980         Keys, Jeramie J.       Reg. No. 42,724       Wu, Tong       Reg. No. 43,361         Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255				,
Keys, Jeramie J.       Reg. No. 42,724       Wu, Tong       Reg. No. 43,361         Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255	Kettelberger, Denise			•
Knearl, Homer L.       Reg. No. 21,197       Xu, Min S.       Reg. No. 39,536         Kowalchyk, Alan W.       Reg. No. 31,535       Zeuli, Anthony R.       Reg. No. 45,255	Keys, Jeramie J.			,
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I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C. 3100 Norwest Center 90 South Seventh Street Minneapolis, MN 55402-4131 I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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oigna	ture of inventor 20	5: Takuya Wada		A	pril 3, 2000

## § 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)–(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
  - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
  - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden—of—proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application:
  - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.